

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KELLY BOLDING, and MICHAEL
MANFREDI, individually and on behalf of
a class of all others similarly situated,

Plaintiffs,

v.

BANNER BANK, a Washington Corporation,

Defendant.

No. C17- 0601RSL

STIPULATION AND
~~PROPOSED~~ ORDER ON
PLAINTIFFS' PRE-DISCOVERY
MOTION FOR COLLECTIVE
ACTION CERTIFICATION

Note on Motion Calendar:
August 8, 2017

STIPULATION

The parties, by and through their counsel, stipulate to the following re-noting and briefing schedule on Plaintiffs' Pre-Discovery Motion for Collective Action Certification Under 29 U.S.C. §216(b) and to Send Notice to the Class ("Motion") [Dkt. 16] and statute of limitations tolling. The parties jointly request that the Court enter the following Order approving this Stipulation. In support, the parties represent the following to the Court:

1. On July 27, 2017, Plaintiffs filed their Motion, which is noted on the Court's motion calendar for August 18, 2017. As presently noted, Defendant Banner Bank's response is due August 14, 2017, and Plaintiffs' reply is due August 18, 2017. *See* LCR 7(d)(3).

2. Banner Bank requested and Plaintiffs agreed to extend the briefing schedule so that each side would have an additional week for their respective response and reply. To avoid

any prejudice to the putative collective action class by extending the briefing schedule, Plaintiffs requested and Banner Bank agreed to toll the statute of limitations period applicable to the Fair Labor Standards Act ("FLSA"), 29 U.S.C. §201 *et seq.*, claim by the amount of the proposed extended schedule, i.e., fourteen days.

3. Based on the foregoing, the parties stipulate and jointly request the Court to enter the proposed Order below approving the following briefing and re-noting schedule, as well as the parties' tolling agreement:

- a. Plaintiffs' Motion is re-noted to September 1, 2017;
- b. Banner Bank's response to the Motion is due on August 21, 2017;
- c. Plaintiffs' reply is due on September 1, 2017; and
- d. The statute of limitations period applicable to Plaintiffs' and the putative collective action class' FLSA claim is tolled for fourteen days.

It is so stipulated and presented by the following counsel this 8th day of August, 2017.

The Blankenship Law Firm, P.S.
Attorneys for Plaintiffs

Davis Wright Tremaine LLP
Attorneys for Defendant Banner Bank

By s/Robin J. Shishido
Scott C. G. Blankenship, WSBA No. 21431
Robin J. Shishido, WSBA No. 45926
Jordan A. Taren, WSBA No. 50066
1000 Second Avenue, Suite 3250
Seattle, WA 98104
Telephone: 206.343.2700
Fax: 206.343.2704
E-mail: sblankenship@blankenshiplawfirm.com
rshishido@blankenshiplawfirm.com
jtaren@blankenshiplawfirm.com

By s/Kenneth E. Payson
Kenneth E. Payson, WSBA #26369
Sheehan Sullivan Weiss, WSBA #33189
Ryan Hess, WSBA #50738
Laura-Lee Williams, WSBA #51358
1201 Third Avenue, Suite 2200
Seattle, WA 98101-3045
Telephone: 206.622.3150
Fax: 206.757.7700
E-mail: kenpayson@dwt.com
sheehansullivanweiss@dwt.com
ryanhess@dwt.com
lauraleewilliams@dwt.com

ORDER

The Court has considered and approves the parties' stipulation. IT IS SO ORDERED.

DATED this 10 day of August, 2017.



Robert S. Lasnik
UNITED STATES DISTRICT JUDGE